

Senate File 380 - Introduced

SENATE FILE 380

BY ZAUN and BEHN

A BILL FOR

1 An Act relating to the establishment of tenure systems at
2 public postsecondary educational institutions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 260C.36, Code 2015, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5. This section shall not be construed to
4 authorize the board of directors of the community college to
5 establish a tenure system for any employee of the community
6 college.

7 Sec. 2. Section 262.9, Code 2015, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 39. Prohibit, at each institution of
10 higher learning governed by the state board of regents, the
11 establishment of a tenure system for any employee of the
12 institution. Acceptable grounds for termination of employment
13 of any member of the faculty shall include but not be limited
14 to just cause, program discontinuance, and financial exigency.
15 Each institution of higher learning governed by the board shall
16 adopt a written statement enumerating employment agreements,
17 annual performance evaluations of all faculty members, minimum
18 standards of good practice, standards for review and discipline
19 of faculty members, and policies with regard to dismissal for
20 cause, program discontinuance, and financial exigency. The
21 dean of a college under the authority of the state board of
22 regents and the president of the institution of higher learning
23 governed by the state board shall employ faculty as necessary
24 to carry out the academic duties and responsibilities of the
25 college.

26 Sec. 3. Section 262.12, Code 2015, is amended to read as
27 follows:

28 **262.12 Committees and administrative offices under board.**

29 The board of regents shall also have and exercise all
30 the powers necessary and convenient for the effective
31 administration of its office and of the institutions under
32 its control, and to this end may create such committees,
33 offices and agencies from its own members or others, and employ
34 persons to staff the same, fix their compensation and ~~tenure~~
35 and delegate thereto, or to the administrative officers and

1 faculty of the institutions under its control, such part of the
2 authority and duties vested by statute in the board, and shall
3 formulate and establish such rules, outline such policies and
4 prescribe such procedures therefor, all as may be desired or
5 determined by the board as recorded in their minutes.

6 Sec. 4. Section 262.82, unnumbered paragraph 2, Code 2015,
7 is amended to read as follows:

8 The board of regents shall also establish a program to create
9 faculty opportunities for women educators at the universities
10 under the board's control. The program shall include, but
11 is not limited to, the creation of faculty positions in
12 targeted shortage areas. The board of regents shall also
13 develop and implement, in consultation with appropriate faculty
14 representatives, ~~tenure~~, ~~promotion~~, and hiring policies that
15 recognize the unique needs of faculty members who are principal
16 caregivers to dependents.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill directs the state board of regents to prohibit the
21 establishment of a tenure system at the regents universities
22 for any employee of a regents university, and provides
23 that the provision in the Code which authorizes community
24 college administrations to establish quality faculty planning
25 committees shall not be construed to authorize a community
26 college to establish a tenure system for any employee of the
27 community college.

28 The bill provides that acceptable grounds for termination
29 of employment of any member of a regents university's faculty
30 shall include but not be limited to just cause, program
31 discontinuance, and financial exigency. Each university is
32 directed to adopt a written statement enumerating employment
33 agreements, annual performance evaluations of all faculty
34 members, minimum standards of good practice, standards for
35 review and discipline of faculty members, and policies with

1 regard to dismissal for cause, program discontinuance, and
2 financial exigency. The bill provides that each dean of a
3 college at a regents university, under the authority of the
4 president of the university and the state board, shall employ
5 faculty as necessary to carry out the academic duties and
6 responsibilities of the college.

7 The bill makes corresponding changes in the Code.